

REMARKS

Claim Rejections

Claims 1, 4 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by O'Neal (U.S. 6,360,751). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Neal in view of Wyers (U.S. 6,672,115). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Neal in view of Wyers (U.S. 6,055,832). Claims 1-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Heyer (U.S. 1,858,893) in view of Bellino (U.S. 4,055,060). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the modified Heyer as applied to claim 1, and further in view of Blais (U.S. 1,222,920).

Drawings

It is noted that the Examiner has accepted the drawings as originally filed with this application.

Amendments to Specification

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies. It is believed that the amendments to the specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

New Claims

By this Amendment, Applicant has canceled claims 1-6 and has added new claims 7-13 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a trailer lock (2) comprising: a rocket bolt (21) having: a main body (210); a fixed end (211) located at a first end thereof; a connector mounting segment (213) located between the main body and the fixed

end; and a locking bolt (212) located at a second end thereof; a connector (23) having: a connector main body (230); and first and second mounting parts (231), each of the first and second mounting parts having a block (233) and a mounting hole (232), the block of each of the first and second mounting parts being connected to one of two opposing ends of the connector main body, the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; and a lock body (22) having: a lock (221) removably connected to the locking bolt; and a lock mounting segment (222) connected to the mounting hole of the second mounting part.

Other embodiments of the present invention include: an anti-dust cover (25) having a cover (251) removably covering the lock and a mounting ring (252), the lock body includes a ring drain (223), the mounting ring is connected to the ring drain; the second mounting part of the connector main body is located between the lock body and the rocket bolt when the lock body is connected to the rocket bolt; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; a hole (214) located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin (26) inserted through the hole; and the connector main body is a chain.

The primary reference to O'Neal discloses a wheel lock including a lock housing (10), and a shackle (14) with elongated legs (18), and a lock member (60) with an elongated portion (62), and a lock (70).

O'Neal does not teach a rocket bolt having a connector mounting segment located between the main body and the fixed end; a connector having a connector main body and first and second mounting parts; the block of each of the first and second mounting parts being connected to one of two opposing ends of the connector main body; the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; a lock mounting segment connected to the mounting hole of the second mounting part; an anti-dust cover having a cover

removably covering the lock and a mounting ring, the lock body includes a ring drain, the mounting ring is connected to the ring drain; the second mounting part of the connector main body is located between the lock body and the rocket bolt when the lock body is connected to the rocket bolt; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole; nor does O'Neal teach the connector main body is a chain.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that O'Neal does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, O'Neal cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The secondary reference to Wyers '115 discloses a locking device with a convertible shank including a locking device (10) with a shackle member (12). The shackle member includes a shank (30), a stop portion (32), and a latch portion (16). The locking device (10) includes a T-operated locking head (14) and a plastic cap element (50).

Wyers '115 does not teach a rocket bolt having a connector mounting segment located between the main body and the fixed end; a connector having a connector main body and first and second mounting parts; the block of each of the first and second mounting parts being connected to one of two opposing ends of the connector main body; the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; a lock mounting segment connected to the mounting hole of the second mounting part; the second mounting part of the connector main body is located between the lock body and the rocket bolt when the lock body is connected to the rocket bolt; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has

external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole; nor does Wyers '115 teach the connector main body is a chain.

The secondary reference to Wyers '832 discloses a locking device including a shackle member (20) and a key operable locking head (40). In one embodiment, the shackle member (20) is a flexible cable (310).

Wyers, '832 does not teach a rocket bolt having a connector mounting segment located between the main body and the fixed end; a connector having a connector main body and first and second mounting parts; the block of each of the first and second mounting parts being connected to one of two opposing ends of the connector main body; the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; a lock mounting segment connected to the mounting hole of the second mounting part; the second mounting part of the connector main body is located between the lock body and the rocket bolt when the lock body is connected to the rocket bolt; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole; nor does Wyers, '832 teach the connector main body is a chain.

The secondary reference to Heyer discloses a lock including a steel strap (14) connected at a first end to a first end of the threaded bolt (11) by a locking nut (13), and a second end of the strap located between the nut (16) and a casing (20).

Heyer does not teach a connector having first and second mounting parts, each of the first and second mounting parts having a block and a mounting hole; the block of each of the first and second mounting parts being connected to one of two opposing ends of the connector main body; the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; a lock mounting segment connected to the mounting hole of the second mounting part; an anti-dust cover

having a cover removably covering the lock and a mounting ring, the lock body includes a ring drain, the mounting ring is connected to the ring drain; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole; nor does Heyer teach the connector main body is a chain.

The secondary reference to Bellino discloses a bicycle lock including a key section (22) connected to a base section (23), and a cable (12) connected at opposing ends to the key section. One end of the cable is locked in place by a dowel (32) of the standard tumbler (28).

Bellino does not teach a rocket bolt; the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; a lock body having a lock removably connected to the locking bolt; a lock mounting segment connected to the mounting hole of the second mounting part; an anti-dust cover having a cover removably covering the lock and a mounting ring, the lock body includes a ring drain, the mounting ring is connected to the ring drain; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole; nor does Bellino teach the connector main body is a chain.

The secondary reference to Blais discloses a combination lock including a body portion (12), a sleeve (13), a spindle (15), and a chain (51) connected at a first end to the body portion and at a second end to a latch (17) inserted through a recess (14) in the body portion.

Blais does not teach a rocket bolt; a connector having first and second mounting parts, each of the first and second mounting parts having a block and a mounting hole; the block of each of the first and second mounting parts being

connected to one of two opposing ends of the connector main body; the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; a lock mounting segment connected to the mounting hole of the second mounting part; the second mounting part of the connector main body is located between the lock body and the rocket bolt when the lock body is connected to the rocket bolt; the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; nor does Blais teach a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole.

Even if the teachings of O'Neal, Wyers '115, Wyers, '832, Heyer, Bellino, and Blais were combined, as suggested by the Examiner, the resultant combination does not suggest: 1) the rocket bolt is inserted through the mounting hole of the first mounting part and the first mounting part is connected to the connector mounting segment of the rocket bolt; 2) a lock mounting segment connected to the mounting hole of the second mounting part; 3) the mounting hole of the first mounting part has internal threads and the connector mounting segment of the rocket bolt has external threads; 4) the lock mounting segment has external threads and the mounting hole of the second mounting part has internal threads; nor does the combination suggest 5) a hole located through the main body of the rocket bolt adjacent to the locking bolt, and an elastic pin inserted through the hole.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the
appealed claims did so by what appears to us to be a

piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either O'Neal, Wyers '115, Wyers, '832, Heyer, Bellino, or Blais that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither O'Neal, Wyers '115, Wyers, '832, Heyer, Bellino, nor Blais disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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